

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

NIKKI BOLLINGER GRAE, Individually and
On Behalf of All Others Similarly Situated,

Plaintiff,

v.

CORRECTIONS CORPORATION OF
AMERICA, DAMON T. HINIGER, and
DAVID M. GARFINKLE, TODD J.
MULLENGER,

Defendants.

Case No. 3:16-CV-02267

Judge Aleta A. Trauger

**NOTICE OF NON-OPOSITION TO THE COMPETING MOTIONS FOR
APPOINTMENT AS LEAD PLAINTIFF, AND APPROVAL OF SELECTION OF
COUNSEL**

**TO THE CLERK OF THE COURT AND ALL PARTIES AND THEIR COUNSEL OF
RECORD:**

PLEASE TAKE NOTICE that Movant Burton Siegal (“Movant”) respectfully submits this statement of non-opposition with respect to the competing motions for appointment as Lead Plaintiff and approval of selection of Lead Counsel. On October 24, 2016, Movant timely filed a motion for appointment as Lead Plaintiff and approval of his selection of counsel, stating that he suffered losses of approximately \$30,903.64 in financial losses in connection with his transactions in Corrections Corporation of America securities between February 27, 2012 and August 17, 2016, inclusive. Three similar motions were filed by other putative class members in the above-captioned

action. Having reviewed the competing Lead Plaintiff motions, Movant does not appear to have the largest financial interest.

The Private Securities Litigation Reform Act of 1995 (“PSLRA”) provides a presumption that the “most adequate plaintiff” to represent the interests of class members is the person or group that, among other things, has “the largest financial interest in the relief sought by the class.” 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I). Based upon a review of the competing motion and supporting papers provided by the other movants seeking appointment as Lead Plaintiff, it appears that, while Movant is well-qualified to serve as Lead Plaintiff in the action, that Movant does not possess the “largest financial interest in the relief sought by the class” as required by the PSLRA. 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I)(bb).

By this Notice of Non-Opposition, Movant does not waive his right to participate and recover as a class member in this litigation. Movant remains ready, willing and able to serve as Lead Plaintiff if the need arises.

Dated: October 27, 2016

Respectfully submitted,

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*(Pro Hac Vice Application To Be Submitted if
Appointed Lead Counsel)*

*Counsel for Movant Burton Siegal and Proposed
Lead Counsel for the Class*

CERTIFICATE OF SERVICE

I hereby certify that on this the 24th day of October, 2016, the Notice of Non-Opposition to the Competing Motions for Appointment as Lead Plaintiff, and Approval of Selection of Counsel was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

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